

HOUSE BILL No. 1147

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-50-3.

Synopsis: Confidentiality of settlements. Provides that any condition requiring that the settlement or compromise of a claim be confidential is void. Permits a court to require that some or all of a settlement or compromise be confidential, and permits a person to challenge the court's confidentiality determination.

Effective: July 1, 2003.

Kuzman

January 7, 2003, read first time and referred to Committee on Judiciary.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1147

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-50-3 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]:
4 **Chapter 3. Settlement Confidentiality**
5 **Sec. 1. Except as provided in section 2 of this chapter, any**
6 **condition that:**
7 **(1) is made in connection with the compromise or settlement**
8 **of a claim filed in any court; and**
9 **(2) requires nondisclosure of the terms of the compromise or**
10 **settlement;**
11 **is void. A condition that imposes a penalty for disclosure of the**
12 **terms of the compromise or settlement is void.**
13 **Sec. 2. Upon motion of any party, a court may:**
14 **(1) prohibit disclosure of some or all of the terms of a**
15 **compromise or settlement of a claim described in section 1 of**
16 **this chapter; or**
17 **(2) impose conditions limiting the disclosure of some or all of**



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1 the terms of a compromise or settlement of a claim described
2 in section 1 of this chapter;
3 **if the court finds that the party has demonstrated good cause.**

4 **Sec. 3. Any person, including a representative of the news**
5 **media, has standing to file an action for declaratory relief under**
6 **IC 34-14-1 challenging an order prohibiting or limiting disclosure**
7 **under section 2 of this chapter, if the person has a good faith belief**
8 **that:**

9 **(1) prohibiting or limiting disclosure of the terms of a**
10 **compromise or settlement would adversely affect the public**
11 **interest; or**

12 **(2) the order issued under section 2 of this chapter is not**
13 **supported by good cause.**

14 **SECTION 2. [EFFECTIVE JULY 1, 2003] IC 34-50-3, as added**
15 **by this act, applies only to an action filed after June 30, 2003.**

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